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PAGE B2

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State Asks Nuclear Regulatory Commission To Reconsider Tailings Shipment to Blanding

BY BRENT ISRAELSEN

THE SALT LAKE TRIBUNE

Utah has asked the U.S. Nuclear Regulatory Commission (NRC) to reconsider a decision that could send 25,000 cubic yards of radioactive tailings from New York to a uranium mill in southeastern Utah.

Late last week the state filed a motion with NRC, asking for a hearing to review its decision last month that amended an NRC license for the **White Mesa Mill**, near Blanding. The amendment would allow the mill to receive uranium tailings from a former nuclear weapons processing site in Tonawanda, N.Y.

The dispute could become a showdown over a state's right to regulate radioactive waste.

It also could become a theater for Utah politicians' efforts to protect the interests of Envirocare of Utah, which is bidding for the same waste.

Utah officials believe the Tonawanda tailings, which White Mesa Mill plans to reprocess to extract trace quantities of uranium, are low-level radioactive wastes that should be regulated under strict state laws.

"If the NRC allows [White Mesa] to process and dispose of . . . materials that contain very little [uranium], they effectively make the mill a low-level radioactive waste disposal facility," says the state's petition. Such a facility must meet requirements of Utah waste disposal laws that require siting, license, local, legislative and gubernatorial approvals.

But Denver-based **International Uranium Corp. (IUC)**, which owns the mill, maintains the Tonawanda materials, left over from the World War II atomic bomb project, are not waste because they contain commercially retrievable amounts of uranium, estimated to be about 0.05 percent.

At that percentage, 25,000 cubic yards of uranium would contain approximately 25,000 pounds of uranium — enough fuel to generate electricity for a 50,000-resident city for one year, according to IUC.

The state, which alleges the NRC did not appropriately apply federal law in approving IUC's license amendment, is not convinced.

If granted a hearing before the NRC, Utah will ask the agency to require testing to determine whether the Tonawanda tailings meet the definition of "ore," whether the ore is being processed primarily for uranium, and whether the tailings contain hazardous waste.

goer and a Boy Scout. He is not really like the person portrayed here," said mother, Diana Baumgart.

Jane Baumgart apologized to his victims and his family, and asked for a chance at treatment. "I have identified my thinking errors," he told the judge. "I'd like to show you I can choose the right."

Prosecutor Dane Nolan said Baumgart had no empathy for his victims

old woman walking to work. Stopping at a remote location, Baumgart had a flat tire. Then he told the woman he had a gun and ordered her to perform oral sex on him, according to court documents.

The third rape occurred Oct. 24, when Baumgart asked directions of a 20-year-old woman working at a fast-food restaurant. After asking the

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THE SALT

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"This continues to smack of protecting the commercial [waste] storage interests in Tooele County."

Earl Hoellen

President, International Uranium Corp.

"The state has a right . . . to protect the state's citizens, its proprietary and sovereign interests and its interest as trustee for all waters owned by the citizens of the state," according to the petition.

IUC President Earl Hoellen said the state's arguments ring hollow. At one point in the petition, the state expresses concern over harmful non-uranium elements in the tailings. But later, that state says it would not oppose the tailings going to White Mesa if they are found to have enough uranium to be economically recoverable.

"I find that that argument absolutely faulty," said Hoellen, whose company plans to dispute the petition. "If they had real concerns [about the environment], they would object to processing of any [tailings] regardless of the amount of uranium in them."

Hoellen also questioned the state's motives, which he said may be to protect Envirocare, the only state-licensed, low-level radioactive waste landfill in Utah.

The Utah Senate president, the speaker of the Utah House of Representatives and at least one congressman have written letters to the NRC, expressing concern about the tailings' going to IUC's mill.

Specifically citing Envirocare's interests, Tooele County commissioners asked Utah's congressional delegation to ask the NRC to reconsider the IUC decision.

"This continues to smack of protecting the commercial [waste] storage interests in Tooele County," Hoellen said. "The [Utah political] machine is working to protect the interest of not allowing a competitive environment to exist."



Close at
4:00 p.m.
July 24th

Roth

Gardens

DRAPER, UTAH

BLow OUT SUMMER

